

Akerman Senterfitt
ATTORNEYS AT LAW

Fort Lauderdale
Jacksonville
Miami
New York
Orlando
Tallahassee
Tampa
Washington, DC
West Palm Beach

**RECEIVED
CENTRAL FAX CENTER**

FEB 15 2006

Esperanto Building
222 Lakeview Avenue, Suite 400
West Palm Beach, Florida 33401-6183
Post Office Box 3188 mail
West Palm Beach, Florida 33402-3188
www.akerman.com
561 653 5000 tel 561 659 6313 fax

FAX COVER SHEET

From: Neil R. Jetter

Date: February 15, 2006

PLEASE DELIVER 19 PAGE(S) (including cover sheet) TO:

Name: **Mail Stop Amendment**
Company: **Commissioner for Patents
Patent & Trademark Office**

Fax Number: **571-273-8300**
Phone Number:

Please call (561) 653-5000, Ext. 3308 if you do not receive all the pages.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of SHEPLAK, et al

Serial No.: 09/997,113

Examiner: Grier, Laura A.

Date Filed: November 28, 2001

Group: 2644

For: MEMS BASED ACOUSTIC ARRAY

Docket No. 5853-315

The information contained in this transmission may be a confidential attorney-client communication or may otherwise be privileged and confidential, intended only for the use of the individual or entity named above. If the reader of this transmittal is not the intended recipient or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original transmittal to us by mail. Thank you.

Client/Matter No. 24833.110345 8543

{WP211140,3}

PTO/SB/21 (09-04)

Approved for use through 07/31/2006 OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	08/897,113
Filing Date	November 28, 2001
First Named Inventor	SHEPLAK et al
Art Unit	2644
Examiner Name	GRIER, Laura A
Attorney Docket Number	5853-315

**RECEIVED
CENTRAL FAX CENTER****FEB 15 2006****ENCLOSURES (Check all that apply)**

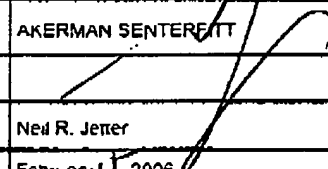
- | | | |
|---|--|---|
| <input type="checkbox"/> Fee Transmittal Form
<input type="checkbox"/> Fee Attached
<input checked="" type="checkbox"/> Amendment/Reply
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s)
<input type="checkbox"/> Extension of Time Request
<input type="checkbox"/> Express Abandonment Request
<input type="checkbox"/> Information Disclosure Statement

<input type="checkbox"/> Certified Copy of Priority Document(s)
<input type="checkbox"/> Reply to Missing Parts/
Incomplete Application
<input type="checkbox"/> Reply to Missing Parts
under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)
<input type="checkbox"/> Licensing-related Papers

<input type="checkbox"/> Petition
<input type="checkbox"/> Petition to Convert to a
Provisional Application
<input type="checkbox"/> Power of Attorney, Revocation
Change of Correspondence Address
<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Request for Refund
<input type="checkbox"/> CD, Number of CD(s) _____
<input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Appeal Communication to Board
of Appeals and Interferences
<input type="checkbox"/> Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter
<input type="checkbox"/> Other Enclosure(s) (please identify
below): |
|---|--|---|

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	AKERMAN SENTERFITT		
Signature			
Printed name	Neil R. Jetter		
Date	February 15, 2006	Reg No	46,803

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature			
Typed or printed name	Neil R. Jetter	Date	February 15, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to be (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of SHEPLAK, et al.

Serial No.: 09/997,113

Examiner: Grier, Laura A.

Date Filed: November 28, 2001

Group: 2644

For: MEMS BASED ACOUSTIC ARRAY

CERTIFICATE UNDER 37 CFR 1.8(a)
I hereby certify that this correspondence addressed to Mail Stop
Amendment, Commissioner for Patents is being transmitted via
facsimile No. 571-273-8300 on 2/15/06

Neil R. Jetter Reg. No. 46,803

REPLY TO OFFICE ACTIONVia Facsimile No. 571-273-8300

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

RECEIVED
CENTRAL FAX CENTER
FEB 15 2006

Sir:

This timely filed Reply is in response to the Office Action regarding restriction mailed Office Action mailed November 16, 2005. This response is being timely filed within the three-month statutory period for reply and no fee is believed to be required by submission of these papers. If, however, a fee is due, the Commissioner for Patents is hereby authorized to charge such fee to Deposit Account No. 50-0951.

An amendment to the specification is on page 2.

A complete claim listing showing amended claims begins on page 3.

Remarks begin on page 14.

{WP278667.3}